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Northern District of New York

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News Release

Richard S. Hartunian, United States Attorney for the Northern District of New York, announced today that **JAMES IZYK**, 49, of Oswego, New York was sentenced in federal court today in Syracuse, N.Y. by U.S. District Court Judge Norman A. Mordue, to two months incarceration in connection with two felony convictions for defrauding the U.S. Postal Service, U.S. Department of Labor, and the Social Security Administration. Following his release from prison, **IZYK** was ordered to be placed on three years supervised release which will include 4 months of home confinement; pay restitution of \$13,752 to the Social Security Administration and \$20,132 to the United States Postal Service; and a pay a \$200 special assessment.

On May 7, 2010, **IZYK**, a former Sales and Service Associate with the U.S. Post Office in Oswego, New York, pled guilty to violating 18 U.S.C. § 1920, admitting that he falsely represented that a work-related injury prevented him from performing any type of duties with the U.S. Postal Service. **IZYK** was capable of working, and knew he was under an obligation to report his true medical condition to the U.S. Postal Service. Based upon his false representations, **IZYK** received

\$33,884 in federal workers compensation and Social Security disability workers' compensation benefits.

IZYK also pled guilty to a violation of 18 U.S.C. § 1001, admitting that he falsely completed a written Social Security Administration Functional Capacity Evaluation and Continuing Disability Review Report, in connection with his receipt of Social Security Disability Benefits for his work-related disability. **IZYK** reported that since June 30, 2006, there had been no change in his physical condition and that his physical condition prevented him from, among other things: working, lifting objects over three pounds, doing yard work, and tying his shoes. Based upon those representations, **IZYK** remained eligible for disability benefits from the Social Security Administration. During the investigation federal agents observed and video-recorded **IZYK** landscaping his lawn, pushing a wheelbarrow weighing in excess of 225 pounds, building a flagstone retaining wall, lifting a lawn mower, and carrying objects weighing over 40 pounds.

This case was investigated by the U.S. Postal Service Office of Inspector General and the Social Security Administration Office of Inspector General.

Further information regarding this case can be obtained by contacting Assistant United States Attorney Tamara Thomson at (315) 448-0672.

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